Traveller Sites - Site Assessment Methodology

1. Introduction

1.1 This document sets out the intended approach to identifying sites for traveller accommodation in the borough. The methodology takes a step by step approach which considers the suitability, availability and viability of land.

2. Policy Context

2.1 National Planning Policy Framework (NPPF)

2.2 The National Planning Policy Framework clearly sets out the role of the planning system in significantly boosting the supply of housing. In plan-making, local planning authorities are directed to plan positively to meet the housing needs of an area and respond to market signals such as housing affordability in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

2.3 To deliver this, paragraph 50 states that local planning authorities should plan for a mix of housing based on demographic and market trends as well as the specific needs of different groups in the community. Furthermore, it directs planning authorities to identify the size, type, tenure and range of housing required in particular locations.

2.4 Planning Policy for Traveller Sites

2.5 The government published a separate planning document alongside the NPPF with a specific focus on providing traveller accommodation. ‘Planning policy for traveller sites’ (PPTS August 2015) requires local authorities to:

- make their own assessment of need for the purposes of planning
- set pitch and plot targets for permanent and transit accommodation
- identify a five year supply of specific and deliverable sites against locally set targets
- identify a supply of specific developable sites or broad locations for growth, for years 6 to 10 and where possible for year 11 to 15
- consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)

2.6 PPTS aims to ensure local authorities increase the number of sites in suitable locations with permission to address under provision, reduce tensions between the settled community and traveller communities in plan making and planning decisions and have due regard to the protection of local amenity and local environment.

2.7 PPTS is clear that if a local authority cannot demonstrate a five year supply of specific and deliverable sites against our target, it should give this significant consideration in favour of granting temporary permission for traveller accommodation unless in Green Belt.
3. Duty to co-operate

3.1 As part of the duty to co-operate the council will work with neighbouring LPAs. Officers will discuss the assessment of land close to the borough boundary and any cross boundary sites that may be relevant. If the Traveller site assessment study identifies that there is not enough suitable, available and viable land in the Borough which is likely to come forward to meet our need for traveller accommodation over the next five years, we will work particularly closely with our neighbouring councils to see if we can find a joint solution. The duty to co-operate would also require consideration of provision within Chesterfield for wider need in the North Derbyshire Gypsy and Traveller housing market area, should there be inadequate suitable, available and viable land in other neighbouring local authority areas.

4. Borough Traveller Accommodation Needs

4.1 The Joint Traveller Accommodation Assessment¹ (2014) forms the evidence base for the Council’s approach to meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople. It was undertaken in accordance with the requirements of the Housing Act 2004 and PPTS (2012). The GTAA shows that there is a need within the study area for 70 additional pitches during the period 2014-2019, and 134 additional pitches for the period 2014-2034.

4.2 More locally, the TAA shows that there is a need in the ‘North Derbyshire’ Gypsy and Traveller housing market area for 17 new pitches between 2014 and 2019 and 34 pitches between 2019 and 2034. A total of 51 pitches.

4.2 Within Chesterfield Borough the TAA has identified a need for 2 pitches for gypsies and travellers and no plots for travelling showpeople over the next 20 years. The pitches should be provided between 2014 and 2019.

4.3 The TAA indicated that a ‘Housing Market Area’-style approach may be appropriate. This would include the Local Authority areas for Chesterfield, Bolsover and North East Derbyshire. The relationship of need and also the options for provision across these three authorities needs to be considered as part of the Duty to Co-operate.

5. Site Search methodology

5.1 The Local Plan; Sites and Boundaries Issues and Options consultation included a section on Travellers and stated that if the updated assessment identifies a need for sites in the borough, the council will identify deliverable sites and allocate site/s accordingly in the Local Plan: Sites and Boundaries. No sites came forward during this consultation.

5.2 In order to identify sites, the Council should firstly examine its own land holdings and assess whether there is any land within its ownership that would meet the criteria within CS12 and those contained in 'Planning Policy for Traveller Sites'.

¹ The Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment 2014
5.3 Additionally, the Council should consult Derbyshire County Council to assess the suitability of land within its ownership, located within borough. Sites which have been found to be potentially suitable and meeting the criteria mentioned above should be included in the forthcoming consultation on a reviewed Local Plan.

5.4 The Council should establish on-going liaison with neighbouring councils (following on from the joint work on the TAA) to ascertain whether there is potential to work jointly to provide sites. A joint approach to assessing sites is being developed in order to make future comparison more robust. However, due to differing stages of Local Plan preparation and a need for the council to progress with Local Plan review and site allocations, joint provision is impractical at this stage. However, should suitable sites be identified to provide for need across district boundaries, this should be considered under the Duty to Co-operate.

6. Call for Sites

6.1 In order to identify and assess possible sites within private ownership, a 'call for sites' has been made between January and February 2016 and closes on the 26th February 2016. Once the responses to this have been recorded they can be put through an assessment process.

7. Sites Assessment

7.1 Stage 1: - Initial Screening.

7.2 The intended approach to assessing potential traveller sites following the call for sites and site search will be in two stages. The first stage - the initial sieving process – will takeout any sites within the Green Belt (unless a Green Belt review is planned or underway) or Local Green Spaces, and any sites within flood zone 3 in line with National Policy, as this land is inappropriate for traveller accommodation.

7.3 Stage 2 – Detailed Consideration

7.4 The second stage would use the criteria in policy CS12, in the national guidance to identify sites for more detailed consideration, including assessment of suitability, availability and viability as per the North Derbyshire and Bassetlaw Land Availability Assessment to determine when a site is realistically expected to be developed.

7.4 The Local Plan: Core Strategy policy CS12 Sites for Travellers sets out criteria the council will consider when allocating sites for Travellers.

Policy CS12 Sites for Travellers

The council will allocate sites for travellers in the Local Plan: Sites and Boundaries where a robust assessment identifies evidence of need. Sites to meet the accommodation needs of Travellers will be allocated or granted planning permission where:

a) The site is not located in the Green Belt or Local Green Spaces
b) There is no unacceptable impact on the function and purpose of Strategic Gaps, Green Wedges or on wildlife sites or other protected green spaces

c) The site is reasonably accessible to community services and facilities

d) The site provides adequate levels of amenity for users

e) The site can be adequately serviced with drinking water and sewerage disposal facilities

f) The site is of sufficient size to accommodate the proposed number of caravans, vehicles and ancillary work areas as appropriate

g) There is satisfactory boundary treatment to ensure privacy and to maintain visual amenities

7.5 The national Planning for Travellers guidance provides further detail, in particular Policy B Planning for Traveller Sites states that Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

- a) promote peaceful and integrated co-existence between the site and the local community
- b) promote, in collaboration with commissioners of health services, access to appropriate health services
- c) ensure that children can attend school on a regular basis
- d) provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment
- e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development
- f) avoid placing undue pressure on local infrastructure and services
- g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans
- h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

7.6 Policy C goes on to state that when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.

7.7 The information in the Designing Gypsy and Traveller Sites good practice guide will help to assess whether land is of a suitable size, and have regard to the maximum site size of 15 pitches or plots, as set out in the good practice guide.

7.9 Sites that are not taken out in Stage 1 will then be assessed against further suitability, viability and achievability criteria as follows, to fully accord with the provisions of CS12 and ‘Planning Policy for Traveller Sites’, and ensure that the sites taken forward are appropriate for allocation. Site visits will be conducted for all potential land being assessed in this study.

7.10 The intention is that considerations for individual sites include: -

- Availability
- Viability
- Suitability (see following)
- Compliance with policy CS12
- Accessibility to local services and facilities by walking, cycling and public transport
- Visual Impact
- Flood Risk
- Impact on landscape, local nature conservation, ecology, biodiversity
- Impact on privacy and residential amenity for site occupiers and neighbouring uses
- Safe and convenient access to the highway network
- Scope for live/work
- Pollution Risk
- Degree to which the site might promote peaceful and integrated co-existence between the site's occupiers and the local community
- Site capacity for pitches and Phasing

7.11 A further report to the Local Plan Steering Group will be made expanding on the above detailed criteria, in particular with regard to how an assessment of a site's ability to contribute to better community cohesion might be done.

7.12 Stage 3: review of the site assessments

7.13 If there is not enough suitable and deliverable land, a review will be needed to see if further desktop analysis and liaison with organisation’s, stakeholders and communities could provide more land to be assessed. If further land is not identified, we will need to discuss this with our neighbouring authorities and review the Council’s approach to setting a target for pitches and plots. If sufficient sites are identified these will be fed into the process of Local Plan review and consultation on site allocations.

7.14 Stage 4: identifying and assessing the potential of broad locations for sites

7.15 If the process does not identify specific land for sites in years 6 onwards the Council will need to identify broad locations in the borough. Broad locations are areas where development is feasible but where specific sites have not been identified. This could include on the strategic scale developments such as the Staveley and Rother Valley Corridor, and other growth areas.

7.16 Stage 5: determining the potential from windfall sites

7.17 A windfall is where land comes forward for development that we have not identified in our Local Plan or evidence base studies. An allowance can be made for windfalls if there is strong evidence that windfalls have consistently happened in the borough and will continue to do so. Any allowance has to be realistic (NPPF paragraph 48). There is no evidence of any significant windfall provision in the Borough.

7.18 Stage 6: Monitoring

7.19 The site assessment study will be updated in parallel with any Land Availability Assessment updates to ensure that there is accurate information to inform the five year supply of deliverable land.
7.20 Monitoring will include:
• identification of additional potential land
• whether planning permission has been granted and development has started or been completed
• whether constraints on the land still apply
• whether there are any new constraints to development
• the amount of windfall development that is happening
• whether land is still available for development (for example any changes in ownership)
• whether funding has become available

7.20 Monitoring information will be reported annually in the AMR, and will include data on the delivery of pitches and plots for the travelling community.